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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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US PATENT & TRADEMARK  
OFFICE

Applicants: Pacifico et al.

Examiner: Samuel A. Acquah

Serial No.: 09/996,636

Group Art Unit: 1711

Confirmation No.: 4050

Docket No.: 1001-13 RES

Filed: November 29, 2001

Date: February 20, 2004

For: SENSITIVE SUBSTANCE  
ENCAPSULATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify this correspondence is being deposited  
with the United States Postal Service as first class mail,  
postpaid in an envelope addressed to Commissioner for  
Patents, PO Box 1450, Alexandria, VA 22313-1450

on 2/20/04 Signature *Suzanne B. [unclear]*

Attn: Latrice Sims  
Refund Section  
Accounting Division/Office of Finance

REQUEST TO WITHDRAW NOTICE OF APPEAL  
AND REQUEST FOR REFUND

Sir:

In response to the Office Action mailed on August 8, 2003, Applicants filed an Amendment on February 9, 2004. Along with their Amendment, Applicants filed a Notice of Appeal. Since the Office Action was not final (37 CFR §1.113), the Notice of Appeal was not an appropriate response to the Office Action. Applicants filed the Notice of Appeal in error. Applicants have requested that this Notice of Appeal be withdrawn in a Letter to the Examiner mailed on February 20, 2004. A copy of the Letter to the Examiner is enclosed.

The Notice of Appeal included a petition for a three-month extension of time. Applicants request that the petition for the extension of time remain in effect. The fee for the

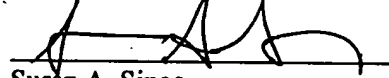
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Notice of Appeal and petition for the extension of time was paid by check in the amount of \$640, of that amount \$165 was for the Notice of Appeal. A copy of the check is enclosed.

Applicants request that the fee of \$165.00 for the Notice of Appeal please be refunded by crediting Deposit Account No. 08-2461. This request for refund is made within two months of the date on which the check was sent.

Applicants apologize for any inconvenience.

Respectfully submitted,



Susan A. Sipos  
Registration No.: 43,128  
Attorney for Applicant(s)

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(516) 822-3550  
SAS/sbs

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on 2/20/04 Signature *Augusta S. Terry*

LETTER TO THE EXAMINER

Sir:

On February 9, 2004, the Applicants filed an Amendment in response to a August 8, 2003 Office Action, along with a Notice of Appeal, for the above-identified application. Applicants had included a \$640 check for fees. Of that amount, \$165.00 was for a fee for the Notice of Appeal. Since the Office Action was non-final, the Notice of Appeal was premature, i.e. filed in error.

Accordingly, Applicants respectfully request that the Notice of Appeal be withdrawn.

The Notice of Appeal included a petition for a three-month extension of time.

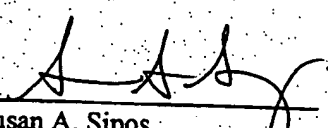
Applicants request that the petition for the extension of time remain in effect.

Applicants have requested that the fee of \$165.00 for the Notice of Appeal please be refunded by crediting their Deposit Account No. 08-2461. This request for refund is made within two months of the date on which the check was sent.

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Applicants apologize for any inconvenience and thank the Examiner for his assistance.

Respectfully submitted,

  
Susan A. Sipos  
Registration No. 43,128  
Agent for Applicants

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, New York 11791  
(516) 822-3550  
SAS/sbs

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BARON, LLP

11824

INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	CHECK NO.	DISCOUNT TAKEN
020904/1001-13 <i>Res (0012)</i>	02/09/04		640.00		
			US PATENT & TRADEMARK OFFICE		
CHECK TOTAL					

HOFFMANN & BARON, LLP

ATTORNEYS BUSINESS ACCOUNT  
6900 JERICHO TURNPIKE  
SYOSSET, NEW YORK 11791

NORTH FORK BANK  
MATTITUCK, NY 11952  
50-870-214

11824

SIX HUNDRED FORTY DOLLARS & ZERO CENTS

CHECK NO.	CHECK DATE	VENDOR NO.
11824	02/09/04	000100

CHECK AMOUNT
\$640.00

COMM. OF PATENT & TRADEMARK

WASHINGTON, DC 20231

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HOFFMANN & BARON, LLP

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INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	CHECK NO.	DISCOUNT TAKEN
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